

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

IN RE:)	CASE NO. 10-71374-JTL
)	
Ronald Eugene Smith,)	
)	
DEBTOR.)	CHAPTER 13

**OBJECTION OF UNITED STATES TRUSTEE TO
CLAIM OF CITIMORTGAGE, INC.**

Donald F. Walton, United States Trustee for Region 21, by counsel, objects to the claim of Citimortgage, Inc. (Hereafter, "Creditor") as follows:

1.

This court has jurisdiction under 28 U.S.C. §1334. Venue is proper under 28 U.S.C. §1409. This matter is a core proceeding. 28 U.S.C. §157(b)(2)(B).

2.

Creditor has filed a proof of claim asserting a secured claim in the amount of \$59,796.43, including an arrearage claim of \$7,109.72.

3.

The United States Trustee has standing to object to the proof of claim. 11 U.S.C. §307; 28 U.S.C. §586(a)(5).

4.

The fees claimed in the amount of \$1,265.18 for "Tax Advance," are not itemized and it is impossible to determine if the fees charged are actual or reasonable. See 11 U.S.C. § 1322(e); Official Form 10, Line 1.

5.

The late charges claimed in the amount of \$2,128.26 do not appear reasonable in light of the default provision of the security deed, which calls for a maximum 5% late charge on principal and interest payments.

WHEREFORE, the United States Trustee respectfully requests that the Court sustain this objection, disallow or reduce the amount of the Proof of Claim in accordance with this objection, and grant such other and further relief as the Court deems just and proper.

Dated: November 17, 2010

DONALD F. WALTON
UNITED STATES TRUSTEE, REGION 21

440 Martin Luther King Jr. Blvd.
Suite 302
Macon, GA 31201
478-752-3545

/s/Robert G. Fenimore
Robert G. Fenimore
Trial Attorney
GA Bar No. 205202

CERTIFICATE OF SERVICE

I hereby certify that the following parties have been served with the above Objection To Claim. Those not served by electronic means by the Court's electronic filing system have been served by first class mail to the addresses below:

Citimortgage, Inc.
CT Corporation System, Registered Agent
1201 Peachtree Street, NE
Atlanta, GA 30361

Citimortgage, Inc.
PO Box 140609
Irving, TX 75019-0609

Kristin Hurst
P.O. Box 1907
Columbus, GA 31902

Floyd Banks Moon
119 W. North St.
P.O. Box 866
Valdosta, GA 31603-0866

This 17th day of November, 2010.

/s/Robert G. Fenimore
Robert G. Fenimore
Trial Attorney
GA Bar No. 205202
440 Martin Luther King Jr. Blvd., Suite 302
Macon, GA 31201
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